

Chairperson Landry called the regular meeting of the Planning Board to order at 6:30PM. Members present were Chairperson Landry, Patricia Marini, Lou Villanova, Doug Flye, and Christopher Paap. Also present were Brett Malafeew, Code Enforcement Officer, and Tim McMullen, Assistant Building Inspector.

Chairperson Landry asked the Board if there were any corrections that needed to be made regarding the minutes of October 15, 2024. Doug Flye made a motion, seconded by Lou Villanova, to accept the October 12, 2024 minutes. All members were in favor.

Chairperson Landry addressed the first item on the agenda:

1. Application of Gerber Homes & Additions for approval of a subdivision and site plan at VL Mykola Road with access from Walworth-Ontario Road, Town of Walworth, and County of Wayne. Property is zoned R-Residential. (Public Hearing)

John Graziose of Gerber Homes & Additions came forward to speak before the Board.

Patricia Marini read the Resolution Relative to Completeness of Application and SEQR for Residential Subdivision Application of “Gerber Homes and Additions” for Property at or about Mykola Road with Access to be from Walworth-Ontario Road:

Resolution Relative to Completeness of Application and SEQR for Residential Subdivision Application of “Gerber Homes and Additions” for Property at or about Mykola Road with Access to be from Walworth-Ontario Road, said Property Commonly Associated with Orchard View Subdivision

WHEREAS, Gerber Homes (the “Applicant”) has submitted an application to the Town of Walworth (the Town”) requesting subdivision and site plan approval (the “Application”) from the Town of Walworth Planning Board (the “Board”) for the development of an eight-lot +/- residential subdivision (the “Development”) at property located at or about Mykola Road with access to be from Walworth-Ontario Road, said lands commonly associated with the development known as “Orchard View” Subdivision in the Town of Walworth (the “Property”), said location and details all as more fully detailed in application materials on file with the Town; and

WHEREAS, given that said Property has been associated with “Orchard View” Subdivision in the Town of Walworth, former versions of Development at the Property have previously been reviewed by the Board; and

WHEREAS, the Applicant has submitted a new EAF (dated May 16, 2024) for the Application.

NOW, THEREFORE, BE IT, RESOLVED, that, given the time which has passed since such previous reviews, including given that the Application is substantially contiguous to wetlands and significant time has passed since completion of a wetland delineation, and given the differences between previous proposals and the current Application, including but not limited to relative to the proposed accessway, the Board finds that prior environmental review relative to the subject Property does not sufficiently address the current Application, and thus that State Environmental Quality Review (“SEQR”) remains to be completed for the Application and currently remains outstanding; and, be it further

RESOLVED, that the Board finds, as set forth in the record, including but not limited to discussion during its open Planning Board meetings and as set forth in correspondences from the Town’s Engineer, that additional information and assessment thereof is required prior to the completion of SEQR for the Application, and thus the Application is not yet complete.

Christopher Paap made a motion, seconded by Lou Villanova, to accept the Resolution.

Roll Vote:	Chairperson Landry	Aye
	Doug Flye	Aye
	Lou Villanova	Aye
	Patricia Marini	Aye
	Christopher Paap	Aye

Motion carried.

Chairperson Landry opened the public hearing at 6:34 PM.

Mr. Graziose said Gerber Homes & Additions proposes 7 home sites with a private shared driveway. Mr. Graziose said he provided the wetland delineation to the Planning Board, and Gerber will bore under the stream with the sewer and water and will not disturb any wetland. Mr. Graziose asked who will complete the SEQR process. Chairperson Landry said the Town will work to get it completed. Mr. Graziose said the shared driveway will fall under a de minimis HOA with an easement for the utilities, and the HOA will not own the land. Mr. Graziose said the width of the driveway, the load rating, and drainage have been resubmitted to the Town. Mr. Graziose said the design is out of the wetlands. Mr. Graziose said the limit of disturbance has been increased from 4.4 acres to 4.9 acres so there is more room to grade around the houses. Mr. Graziose said the map has been updated with more specific dimensions.

Chairperson Landry asked if there were any comments from the Board. No issues were brought forward. Chairperson Landry asked if there were any comments from the public.

Daniel Teske Sr. of 3947 Walworth-Ontario Road came forward to speak before the Board. Mr. Teske provided the Board with documents titled "Standards for Water Wells". Mr. Teske said he spoke to New York State about his shallow well with perfect water. Chairperson Landry said the Board will take this into advisement and give it to the Town's lawyer to look at.

Becky Appleman of 4575 Walworth-Ontario Road came forward to speak before the Board. Ms. Appleman asked what minimum distance is necessary for a road with water, sewer, and easements. Mr. Malafeew said it is a private drive, not a road. Mr. Graziose said it is 47.5 feet. Mr. Malafeew said the drive needs to be 21 feet wide, it will not be dedicated to the Town, and it will be maintained by the HOA. Mr. Malafeew said the utilities will run down the south side of the drive. Ms. Appleman said she would be worried about the drainage. Mr. Malafeew said the drainage is addressed with the swales. Ms. Appleman asked if this will be a Town road. Chairperson Landry said it will be a private drive.

Chairperson Landry asked if there were any more comments from the public. No more issues were brought forward.

Patricia Marini made a motion, seconded by Doug Flye, to adjourn the public comment until next month. All members were in favor. Chairperson Landry adjourned the public comment at 6:49 PM.

Chrisopher Paap made a motion, seconded by Doug Flye, to adjourn the meeting. All members were in favor. Chairperson Landry adjourned the meeting at 6:50 PM.

Respectfully Submitted,

Barbara Goulette, Clerk